

### **REMARKS**

This Response addresses the issues raised by the Examiner in the Office Action mailed May 27, 2005. Initially, Applicants would like to thank the Examiner for the careful consideration given this case and for the indication of allowable subject matter in Claims 9-12 and 18. In view of the previous amendments and the following remarks, Applicants feel that all outstanding issues have been addressed and prompt allowance of all remaining claims is respectfully requested.

#### **Allowable Subject Matter**

The Examiner noted that Claims 9-12 and 18 include allowable subject matter and would be allowed if rewritten in independent form. Per the examiner's instructions, Claims 9-12 and 18 have been rewritten in independent form to include all of the limitations of those claims from which they depend. The remaining claims in these claim groups (Claims 1-8 and 13-17) have been cancelled through the above amendment without prejudice as to their reintroduction in this or a subsequent patent application. All of the prior-art related rejections are rendered moot by these cancellations.

Claims 9-12 and 18 are now in condition for final allowance and prompt notice to such effect is respectfully requested.

#### **§101 Rejection**

The Examiner also issued a new rejection under 35 U.S.C. 101 stating that Claims 19 and 20 do not contain patentable subject matter. It is noted that the Examiner did not include such a rejection when these same claims were examined in the previous Office Action (dated March 30, 2004). Applicants do not agree with the Examiner's arguments as a computer-executable program (as the original claim reads) necessarily is embodied on a medium that is capable of being run on a general purpose or other computer. If this were not so, then the program could not be executed by a computer (as stated) and would therefore be outside the scope of the presently written claim. Moreover, Applicants can direct the Examiner to hundreds of issued claims with this identical preamble language should the Examiner require additional support.

However, in an effort to bring the present prosecution to a successful and prompt conclusion, Applicants have amended Claim 19 in order to address the Examiner's concern. Although unnecessary, this claim amendment does not change the scope of the claims and is

not made for patentability reasons, so the Applicants do not find the change objectionable. Per the Examiner's arguments, Claims 19 and 20 now specifically recite being embodied on a computer-readable medium. The Examiner's concerns have therefore been addressed, and these claims are also now in condition for final allowance. Prompt notice to such effect is respectfully requested.

The above remarks address each and every concern raised by the Examiner in the Office Action. Applicants believe that all remaining claims of the present invention are now in condition for final allowance. If the Examiner feels that any issues remain outstanding, the Examiner is encouraged to contact Applicant's attorney at the contact information below.

Respectfully submitted,

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